

J KEVIN ELLIS  
P O BOX 1616  
MORGANTOWN, WV 26507-1616

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DECLARATION OF OIL AND GAS NOTICE

(Tax Map 6, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOLIDATION COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

McELROY COAL COMPANY

RESERVE COAL PROPERTIES COMPANY

CNX LAND RESOURCES INC.

C/O LEATHERWOOD, INC.  
1000 CONSOL ENERGY DRIVE  
CANONSBURG, PA 15317-6506

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by  
D. R. UCCARACEL, its ASSISTANT MANAGER, by authority duly given.

JAN PEST  
MARSHALL County 09:31:52 AM  
Instrument No 1262451  
Date Recorded 01/06/2009  
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Book-Page 675-610  
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CONRHEIN COAL COMPANY  
a Pennsylvania corporation:

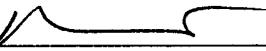
By: D. R. Uccaracel  
Its: ASSISTANT MANAGER

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IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by ROBERT P. KINER, its VICE PRESIDENT, by authority duly given.

CONSOLIDATION COAL COMPANY

a Delaware corporation:

By: 

Its: Vice President

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by ROBERT P. KINER, its VICE PRESIDENT, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC

a Delaware limited liability company:

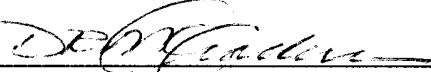
By: 

Its: Vice President

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. R. MCCAGLEN, its VICE PRESIDENT, by authority duly given.

RESERVE COAL PROPERTIES COMPANY

a Delaware corporation:

By: 

Its: VICE PRESIDENT

Book 675 pg 612

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 22 day of December, 2008, by CHARLES T. SHAYNAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY  
a Delaware corporation:

By: Charles T. Shaynak  
Its: VICE PRESIDENT

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 17 day of DECEMBER, 2008, by D. R. LIECKAICKEN, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.  
a Delaware corporation:

By: D. R. Lieckacken  
Its: VICE PRESIDENT

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA

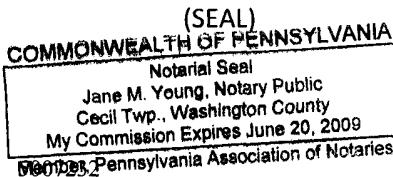
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. R. LIECKAICKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASSET MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

Jane M. Young  
Notary Public

My Commission expires

June 20, 2009



## COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

75-613

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

## COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2008

Member, Pennsylvania Association of Notaries

## COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KING, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

## COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2008

Member, Pennsylvania Association of Notaries

## COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D.R. MCCACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of DECEMBER, 2008.

(SEAL)

## COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2009

Member, Pennsylvania Association of Notaries

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Jane M. Young  
Notary Public  
My Commission expires JUNE 20, 2009

Jane M. Young  
Notary Public  
My Commission expires JUNE 20, 2008

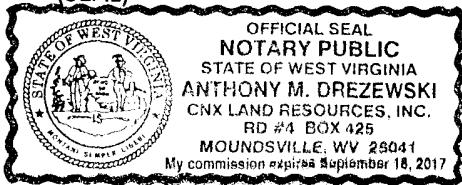
Jane M. Young  
Notary Public  
My Commission expires JUNE 20, 2009

Book 675 page 614

STATE OF West Virginia  
COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF MARSHALL

Before me, Anthony M. Drezewski, a Notary Public, on this day personally appeared CHARLES Z. SHAYNAK, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 22 day of December, 2008.

(SEAL)

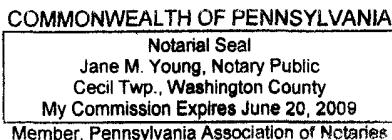


COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. R. LIPCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 11 day of DECEMBER, 2008.

(SEAL)



My Commission expires JUNE 20, 2009

This Document Prepared By:

J. Kevin Ellis

WV Bar No. 9964

Steptoe & Johnson PLLC

1085 Van Voorhis Road

PO BOX 1616

Morgantown, WV 26507

(304) 598-8000

**EXHIBIT A - SURFACE TRACTS (SHOEMAKER McELROY MINE)**  
**Tax Map 6, Webster District, Marshall County, West Virginia**

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
6	1	GALL	EDNA S. ESTATE	308 9TH ST	GLEN DALE	WV	26038	1/2 INT 5 W STULLS RUN	WB28/203
6	1	LAUTER	FRANK P. ESTATE	1500 9TH ST	MOUNDSVILLE	WV	26041	1/2 INT 5 W SIDE STULLS RUN	WB28/203
6	2	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	4 STULLS RUN	WB82/479
6	3	GRIMM	JOYCE E.	RR 4 BOX 305	CAMERON	WV	26033	51.07 IRISH RIDGE	WB74/593
6	3.1	EBERT	RENEE LYNN GRIMM	RR 4 BOX 311 B	CAMERON	WV	26033	2500 SQ FT .06 A IRISH RIDGE	632/527
6	4	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	1/4 A HAZEL DELL SCHOOL	WB82/479
6	5	STROPE	GARY ANTHONY, ET AL.	RR 4 BOX 302	CAMERON	WV	26033	56.128 IRISH RIDGE	647/103
6	5.1	McWHORTER	DEBRA K., ET VIR.	RR 4 BOX 311	CAMERON	WV	26033	.872 IRISH RIDGE & R/W	660/184
6	6	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	64.293 IRISH RIDGE	WB82/479
6	6.1	STROPE	GARY ANTHONY, ET AL.	RR 4 BOX 302	CAMERON	WV	26033	1 A IRISH RIDGE	647/103
6	6.2	WHEELING CREEK	WATERSHED COMM.	BOX 187	GLEN EASTON	WV	26039	3 WOLF RUN	548/419
6	7	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	2 IRISH RIDGE	WB82/479
6	8	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	15-1 IRISH RIDGE	WB82/479
6	9	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	27.127 A IRISH RIDGE	WB82/479
6	9.1	DUNLAP	LARRY W., ET UX.	RR 4 BOX 303	CAMERON	WV	26033	.627 A IRISH RIDGE	466/507
6	9.2	DUNLAP	LARRY W. & BARBARA E.	RD 4 BOX 303	CAMERON	WV	26033	5.923 A IRISH RIDGE	662/115
6	10	KWIATKOSKI	RONALD, ET UX.	511 GRANT ST	MCMECHEN	WV	26040	14.11 STULLS RUN CAMP	443/183
6	11	MILLER	R. CRAIG & DONITA D.	11006 HOOVER AVE NW	UNIONTOWN	OH	44685	40 STULLS RUN	628/619
6	12	FITZSIMMONS	MARK B. & DEBORAH A.	RR 3 BOX 297	CAMERON	WV	26033	20 IRISH RIDGE	600/213
6	13	FITZSIMMONS	MARK BRENT, ET AL.	RR 4 BOX 313	CAMERON	WV	26033	28.30 IRISH RIDGE	WB82/479
6	14	BURKEY	MICHAEL J., ET UX.	906 THIRD	MOUNDSVILLE	WV	26041	HOME	448/585
6	15	FITZSIMMONS	MARK B. & DEBORAH A.	RR 3 BOX 297	CAMERON	WV	26033	60 A IRISH RIDGE	625/507
6	16	COFFIELD	WILLIAM & BRENDA	RR 1 BOX 242	MOUNDSVILLE	WV	26041	77.40 STULLS RUN	660/136
6	17	KAISER JOE M & SHIRLEY A	FAMILY REVOCABLE	6509 ST RT 303	RAVENNA	OH	44266	171.323 A IRISH RIDGE	646/340
6	17.1	LILLEY	HARRY W., ET UX.	667 E GARFIELD	AURORA	OH	44202	19.497 A IRISH RIDGE	.452/387
6	19	STROPE	DOUGLAS L., RUSSELL W. & CRAIG D.	RR 4 BOX 290	CAMERON	WV	26033	55 WOLF RUN & O&G	629/146
6	20	KUTIS	JOHN S. & SYLVIA M.	1440 SUNSET LN	GLEN DALE	WV	26038	19.87 WOLF RUN & O&G	638/574
6	21	KUTIS	JOHN S. & SYLVIA M.	1440 SUNSET LN	GLEN DALE	WV	26038	23.44 WOLF RUN & O&G	638/574
6	22	BERNIER	CHRISTINE A.	11075 PACKARD	WARREN	MI	48089	3.26 WOLF RUN	608/146
6	22.1	McMILLAN	GORDON W.	2019 MAXWELL RD	PT PLEASANT	WV	25550	2 WOLF RUN	377/11

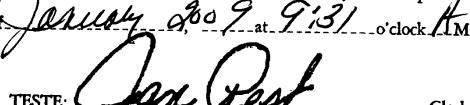
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EXHIBIT A - SURFACE TRACTS (SHOEMAKER McELROY MINE)  
 Tax Map 6, Webster District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
6	23	STROPE	DOUGLAS L., RUSSELL W. & CRAIG D.	RR 4 BOX 290	CAMERON	WV	26033	30 WOLF RUN & O&G	629/146
6	24	FOSTER	KERRY GLENN, ET UX.	2235 RALEIGH DR	GLENDALE	WV	26038	50 WOLF RUN	570/559
6	25	FISH	T.E. & H.R.	PO BOX 98	NEW MANCHESTER	WV	26036	37.84 WOLF RUN	190/333
6	26	FOSTER	WILLIAM R. & KERRY G.	RR 4 BOX 2	MOUNDSVILLE	WV	26041	23.36 WOLF RUN	668/380
6	27	PACZEWSKI	BETTY SUE & ALBERT J.	RR 4 BOX 275	CAMERON	WV	26033	72.13 WOLF RUN	574/167
6	28	ELLIOT	ROBERT B. & MABEL RIGGLE THOMAS	RR 4 BOX 267	CAMERON	WV	26033	74.75 CEDAR ROCKS	WB50/1/07
6	28.1	JACKSON	CLARENCE J., ET UX.	815 1ST ST	MOUNDSVILLE	WV	26041	36 PERCHES WOLF RUN	613/579
6	29	TOLAND	KENNETH ROGER & JERILYNN	RR 4 BOX 274A	CAMERON	WV	26033	63 CALIS	475/469
6	30	BUSH	KENNETH ROGER & JERILYNN	RR 4 BOX 350	CAMERON	WV	26033	46.93 CALIS & O&G ROY	626/115
6	31	BUSH	KENNETH ROGER & JERILYNN	RR 4 BOX 350	CAMERON	WV	26033	41 WOLF RUN	626/115
6	32	FOSTER	WILLIAM R., ET UX.	RR 5 BOX 24-1	MOUNDSVILLE	WV	26041	67.25 WOLF RUN & O&G	457/347
6	33	BERNIER	CHRISTINE A.	11075 PACKARD	WARREN	MI	48089	36 WOLF RUN LIFE	608/146
6	34	BERNIER	CHRISTINE A.	11075 PACKARD	WARREN	MI	48089	11.03 WOLF RUN	609/146
6	35	BUSH	KENNETH ROGER & JERILYNN	RR 4 BOX 350	CAMERON	WV	26033	13.65 WOLF RUN	626/115
6	36	FISH	RUSSELL E.JR., ET AL.	PO BOX 301	NEW CUMBERLAND	WV	26047	20.60 GRANNYS RUN	657/19
6	37	FISH	RUSSELL E.JR., ET AL.	RD 2 BOX 157 Z	PROCTOR	WV	26055	21.43 CALIS	657/19
6	38	BUSH	KENNETH ROGER & JERILYNN	RR 4 BOX 350	CAMERON	WV	26033	8 GRANNYS RUN	625/331
6	39	BUSH	KENNETH ROGER & JERILYNN	RR 4 BOX 350	CAMERON	WV	26033	24.535 AC WOLF RUN	631/117
6	39.1	BUSH	SHAWN R. & JAMIE	RR 4 BOX 285	CAMERON	WV	26033	2.325 A WOLF RUN	641/530
6	40	BUSH	SHAWN R. & JAMIE	RR 4 BOX 285	CAMERON	WV	26033	4.70 AC WOLF RUN	641/530
6	41	KUTTS	JOHN S. & SYLVIA M.	1440 SUNSET LN	GLENDALE	WV	26038	11.34 WOLF RUN & O&G	638/574
6	42	MINER	PHILLIP H., ET UX.	RR 4 BOX 288	CAMERON	WV	26033	56.37 A WOLF RUN & O&G	525/344
6	43	WHIPKEY	MARTHA RAE	RR 4 BOX 286	CAMERON	WV	26033	4.48 WOLF RUN	631/119
6	44	McMILLAN	GLENN, ET UX.	RR 4 BOX 67	CAMERON	WV	26033	83.90 WOLF RUN	543/42

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 17th day of December 2008 was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 6th day of January 2009 at 9:31 o'clock A.M.

TESTE:  Clerk.